



PECFA POST



A newsletter created and distributed by the Wisconsin Department of Commerce, Bureau of PECFA Site Review Section

PECFA POST, Volume 1, Issue 4

December 2001

CELEBRATE THE HOLIDAY SEASON!

The Wisconsin Department of Commerce Division of Environmental and Regulatory Services Bureau of PECFA Site Review staff wishes everyone a safe and enjoyable holiday season.

COMMERCE ADDS THREE NEW HYDROGEOLOGISTS

We are pleased to announce the addition of three new Hydrogeologists to the Site Review Staff. Joining us in October were Monica Weis in Milwaukee, Beth Erdman in Oshkosh and Tim Zeichert in Stevens Point. Due to the new additions, zip code work zone changes have occurred, which include the transfer of 541 to Oshkosh and 547 to Stevens Point. See Page 8 for the updated directory of contact information.



A fond farewell to Shanna Laube and Denise Nettesheim. We thank them for all their dedication as Hydrogeologists for the Bureau of PECFA. Please note that the Park Falls office is officially closed.

LOOKING FOR AN OPPORTUNITY TO JOIN COMMERCE? APPLY NOW!

- **PECFA Bureau Director – Madison:** The Commerce PECFA Bureau Director Position has been announced. Details of the position are currently available at the Commerce Website and appeared in the November 26, 2001 Current Opportunities Bulletin. Salary for this position starts at \$53,138 per year

minimum, based on qualifications, plus an excellent benefit program.

www.commerce.state.wi.us/COM/com-employment.html

- **Petroleum Products And Tanks Bureau Director – Madison:** The Commerce Petroleum Products and Tanks Bureau Director Position has been announced. Details of the position are currently available at the Commerce Website and appeared in the November 26, 2001 Current Opportunities Bulletin. Salary for this position starts at \$53,138 per year minimum, based on qualifications, plus an excellent benefit program.

www.commerce.state.wi.us/COM/com-employment.html

IMPROVEMENTS TO THE PECFA SECTION OF THE WEBSITE

Construction of the Wisconsin Department of Commerce Bureau of PECFA website is ongoing. Some improvements to the website include:

- Reorganizing the PECFA homepage for ease of locating needed information.
- Updating links to Contact information
- All issues of the PECFA Post Newsletter, as well as future issues, can be accessed through the Wisconsin Department of Commerce website at: <http://www.commerce.state.wi.us/ER/ER-PECFA-Home.html> under **PECFA Post**.

This web page also contains a plethora of information regarding PECFA. If you see any changes, or have some suggestions that would positively enhance the ease of use of the website, please submit them to Kristi Hammes at: khammes@commerce.state.wi.us.

Do you want to register a site on the GIS Registry?

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Have a concern you would like to voice?

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Want to see the new SIR Guidelines?

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Need to contact someone in Site Review?

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GROUNDWATER GIS REGISTRY PACKAGE REQUIREMENTS.

A provision in 1999 Wisconsin Act 9 provided funding to the Wisconsin Department of Natural Resources (WDNR) to develop a Groundwater Geographic Information System (GIS) Registry, (GIS Registry). It also provided the authority to charge fees for the continued development and maintenance of the GIS Registry. On November 1, 2001, the GIS Registry became available.



Prior to November 1, 2001, ch. NR 726 Wis. Adm. Code required a responsible party (RP) to record a groundwater use restriction at the county register of deeds office when closing a site with groundwater contamination that exceeds ch. NR 140 Wis. Adm. Code enforcement standards (ESs). The GIS Registry is a database that replaces this requirement by including all closed remediation sites with residual groundwater contamination above ch. NR 140 Wis. Adm. Code ESs. The GIS Registry provides information to future property owners and allows for proper potable well construction for properties with residual groundwater contamination.

The GIS Registry requires that a \$250 fee (see ch. NR 749 Wis. Adm. Code) be paid to WDNR for any site requesting case closure with groundwater contamination remaining above ch. NR 140 enforcement standards. Any fees received by the Department of Commerce will be returned to the responsible party (RP). A case closure submittal will be considered complete only upon confirmation of the paid GIS fee. This rule requires the fee to be paid before either Commerce or the WDNR can start the review for closure.

Please note that any fee (ch. NR 749 Wis. Adm. Code) imposed by the WDNR is not reimbursable by PECFA per Wisc. Stat. 101.143(4)(c)10. Additionally, Registry package preparation costs for closure requests received prior to November 1, 2001, are not eligible for PECFA reimbursement.

The code requires well drillers to contact Digger's Hotline prior to construction of a private well outside of the service area of a municipally owned water system. Digger's Hotline will check the GIS database and contact the WDNR if a well is being proposed for a property that has been granted closure with groundwater contamination remaining at concentrations above NR 140 enforcement standards. If a well driller is proposing to construct a well within the service area of a municipally owned water system, the code requires they contact the WDNR prior to beginning construction. The code also requires municipalities to check the GIS database and the Bureau for Remediation and Redevelopment's tracking system (BRRTS) prior to locating a municipal well.

The current code changes to the NR 700 series still require the recording of deed restriction for residual soil contaminant concentrations that necessitate the use and maintenance of engineered controls (e.g., direct contact risk) or that use industrial RCLs for closure. In addition, the current code changes will not effect the need to record deed affidavits for residual soil contaminant concentrations above NR 720 RCLs.

If a site has already received a conditional closure with a groundwater use restriction, but the restriction has not been recorded, or if a closure request was received by

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either department on or before October 31, 2001, as of November 1, 2001, the RP may elect to have the site recorded on the WDNR's GIS Registry of Closed Remediation Sites in lieu of filing a groundwater use

restriction. For more information regarding the registration process, including fee and documentation requirements, refer to the enclosed GIS Registry information.

If the site has already received conditional closure, and the RP chooses to have the site included on the GIS Registry, the following is the list of requirements for the GIS package:

A The following shall be sent to the WDNR regardless of departmental jurisdiction:

- The \$250.00 fee, payable to WDNR, shall be sent to the Regional WDNR office, Attention Bureau of Remediation and Redevelopment, regardless of which agency issued the closure determination for the site. Attach to the fee a copy of the first page of the closeout form and include the BRRTS number on the *Memo* line.

B The following shall be sent to the author of the *Conditional Case Closure* letter:

- Copy of most recent deed, with legal description for all affected properties.
 - Where the legal description refers to certified survey map or portion of recorded plat, a copy of certified survey map or portion of recorded plat (all affected properties).
 - Parcel identification number, if used by county (all affected properties).
- Geographic positions coordinates for all affected properties (meters in the WTM91 projection),
- Location map or maps outlining all properties in enough detail to permit the parcels to be identified (no larger than 8.5"x14").
- Map or maps showing site boundaries, including roads, buildings, contaminant sources, utility lines, monitoring wells, potable wells, etc. (no larger than 8.5"x14").
- Table of the most recent analytical results from all wells with collection dates (no shading and no larger than 8.5"x14").
- Isoconcentration maps with the most recent groundwater flow direction indicated (no larger than 8.5"x14").
- Geologic cross-section, if available (no larger than 8.5"x14").
- Signed statement by the responsible party that certifies that the legal descriptions attached to the statement are complete and accurate.
- For sites where the adjacent property(s) have been impacted:
 - A copy of the letter(s) sent by the responsible party to all affected properties. The letter(s) shall be sent via certified mail, return receipt requested, or priority mail with signature confirmation. The letters shall explain that the source property is requesting closure, that the

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groundwater contaminant plume migrated onto their property, and that their property will be listed on the GIS Registry, along with the source property. Affected property owners are notified that natural attenuation has been selected as the final remediation for the contamination. This notification is completed by sending the WDNR Fact Sheet ‘*What Landowners Should Know: Information About Using Natural Attenuation To Clean Up Contaminated Groundwater.*’ Affected property owners are also to be asked to verify the legal description(s) of the affected properties and be notified that they have an opportunity to provide the Department, responsible for reviewing the file for closure, with technical information indicating that closure should not be granted. The specific language of this notification (Appendix A letter) can be found at the following web site: www.dnr.state.wi.us/org/aw/rr/wi_regs/gis_full_package.pdf. The above-mentioned WDNR's Fact Sheet can be found at: www.dnr.state.wi.us/org/aw/rr/archives/pubs/RR671.pdf.

**CONTENTS OF SITE INVESTIGATION REPORTS
FOR PETROLEUM CONTAMINATED SITES**

For Submittals to:
The Department of Natural Resources
&
The Department of Commerce
October 2001
RR Publication #RR-628

Please note: The following is only a portion of the actual document. Please reference the following website to view the full document: <http://www.dnr.state.wi.us/org/aw/rr/archives/pubs/RR628.pdf>.

PURPOSE: This guidance contains requirements found in NR 716, NR 746/Comm 46 [hereafter referenced as NR 746 for brevity] and Comm 47, which specifically pertain to the contents of site investigation reports for petroleum tank discharge sites. This guidance does not apply to other types of sites.

DISCLAIMER: This document is intended solely as guidance and does not contain any mandatory requirements except

Circulation of the PECFA Post and Request for Topics of Concern

In a continued effort to expedite the circulation of future newsletters, they will be distributed electronically. If you would like to be placed on the e-mail list, or on a regular mail list, please forward your e-mail address to Kristi Hammes at khammes@commerce.state.wi.us, or in writing at the address listed on page 6. Kristi is the current point of contact for the PECFA POST newsletter.

Thank you for your replies to topics covered in previous editions of the PECFA Post. Many suggestions and replies have been received, which will be taken up in future issues, and will be distributed via email unless otherwise notified. Please note that the PECFA Post is also available on the Commerce Web Site. Commerce would like to continue to hear from you, the consultant, about topics that you would like to have covered in future newsletters and training sessions. Please continue to send your comments and suggestions to Kristi Hammes

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where requirements found in statute or administrative rule are referenced. This guidance does not establish or affect legal rights or obligations and is not finally determinative of any of the issues addressed. This guidance does not create any rights enforceable by any party in litigation with the State of Wisconsin or the Department of Natural Resources. Any regulatory decisions made by the Department of Natural Resources in any matter addressed by this guidance will be made by applying the governing statutes and administrative rules to the relevant facts.

Site Investigation Reports: A report for soil or groundwater contamination is required by ch. NR 716. A site investigation report is the basis for all subsequent decisions regarding cleanup of a contaminated site. A complete and well-organized report allows state regulators to make better and faster decisions including, in some cases, case closure. If a case closure request will be made at the end of the site investigation, see NR 746.07(1) and publication RR-614, Interim Guidance on Natural Attenuation for Petroleum Releases, before completing the site investigation report. Use the case closure request form (Form 4400-202) required by NR 726.05(2).

Site investigation reports should be organized into the following sections:

Cover Letter and Title Page

Table of Contents

Executive Summary

Sections of Report:

Section 1: Introduction and Background

- 1.1 Responsible Party Information
- 1.2 Consultant Information
- 1.3 Site Location
- 1.4 Site History

Section 2: Geology and Receptors

- 2.1 Regional and Local Geology and Hydrogeology
- 2.2 Receptors

Section 3: Site Investigation Results, Risk Criteria

- 3.1 Methods of Investigation
- 3.2 Data Discussion
- 3.3 Permeability and Hydraulic Conductivities (NR 746)
- 3.4 Discussion of Results
- 3.5 Contaminant Migration (NR 746)
- 3.6 Risk Screening Criteria (NR 746)
- 3.7 Agency Jurisdiction (NR 746)

Section 4: Conclusions

- 4.1 Summary of Results and Recommendations
- 4.2 Site Closure Decisions (NR 746)

Section 5: References

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Section 6: Figures

- 6.1 Regional Location Map
- 6.2 Site and Property Maps
- 6.3 Soil Sample Results Summary Maps
- 6.4 Geologic Cross Sections
- 6.5 Hydrogeologic Maps

Section 7: Data Tables, Graphs and Statistical Analyses

- 7.1 Soil Analytical Results Summary
- 7.2 Groundwater Elevation and Free Product Interim Action Results
- 7.3 Groundwater Analytical Results Summary
- 7.4 Graphs and Statistical Analyses

Report Appendices:

- A Methods of Investigation
- B Analytical Methods and Laboratory Data Reports
- C Well and Borehole Documentation
- D Waste Disposal Documentation
- E Other Documentation

NR 716.01 states:

"Nothing in this chapter shall be construed to require plans or reports that are more detailed or complex than is justified by the known scope of contamination or the complexity of the site or facility."

PECFA and Petroleum Tank Discharge Sites: The Petroleum Environmental Cleanup Fund Act (PECFA) is Wisconsin's reimbursement program for eligible cleanup costs at petroleum tank discharge sites. Some basic PECFA considerations are included in Attachment A of this document, but please see the Department of Commerce web site listed below for additional information about PECFA.

ON-LINE INFORMATION SOURCES:

- Administrative rules: <http://www.legis.state.wi.us/rsb/code/codtoc.html>
NR 700 Series (includes NR 746)
Comm 47, PECFA
NR 140, Groundwater Quality
NR 141, Groundwater Monitoring Well Requirements
NR 149, Laboratory Certification
- Dept. of Commerce web site: <http://www.commerce.state.wi.us/COM/Com-Petroleum.html>
Information on PECFA, staff contacts, etc.
- Dept. of Natural Resources web site: <http://www.dnr.state.wi.us/org/aw/rr/index.htm>
Information on environmental cleanup, staff contacts, etc. (Use the "Publications" button for natural attenuation technical guidance, case summary and close out form, etc.)
Certified Laboratories: <http://www.dnr.state.wi.us/org/es/science/lc/search/>

**THREE-DIGIT ZIP CODE AREAS
IN WISCONSIN**

The map shows the following three-digit ZIP code areas in Wisconsin:

- 540: ST. CROIX
- 541: MARINETTE
- 542: BROWN
- 543: OUTAGAMIE
- 544: MARATHON
- 545: ONEIDA
- 546: LA CROSSE
- 547: DUNN
- 548: BURNETT
- 549: WAUSHARA
- 530: SHEBOYGAN
- 531: WAUKESHA
- 532: MILWAUKEE
- 533: DANE
- 534: KENOSHA
- 535: GREEN
- 536: ROCK
- 537: DANE
- 538: GRANT
- 539: MARQUETTE

Other counties shown on the map include: DOUGLAS, BAYFIELD, IRON, ASHLAND, VILAS, PRICE, FOREST, FLORENCE, BURNETT, WASHBURN, SAWYER, POLK, BARRON, RUSK, LINCOLN, LANGDALE, OCONTO, MARINETTE, ST. CROIX, DUNN, CHIPPEWA, TAYLOR, CLARK, MARATHON, MENOMINEE, SHAWANO, DOOR, Kewaunee, PIERCE, EAU CLAIRE, BUFFALO, TREMPER, EAU, WOOD, PORTAGE, WAUPACA, OUTAGAMIE, BROWN, MANITOWOC, CALUMET, WINNEBAGO, WAUSHARA, JACOBSON, MONROE, LA CROSSE, JUNEAU, ADAMS, MARQUETTE, FOND DU LAC, SHEBOYGAN, VERNON, SAUK, COLUMBIA, DODGE, WASHINGTON, OZAUKIE, CRAWFORD, RICHLAND, IOWA, DANE, MILWAUKEE, WAUKESHA, JEFFERSON, WALWORTH, RACINE, KENOSHA, LA FAYETTE, GREEN, ROCK, and GRANT.

PECFA Site Review Zone Contact Information

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ZIP CODE STARTING WITH		CONTACT		
530, 531, 532, 534	Lee Delcore	(414) 220-5403	WI Dept of Commerce 101 W Pleasant St Suite 100A Milwaukee WI 53212-3963 FAX 414-220-5374	
	Stephen Mueller	(414) 220-5402		
	Nancy Kochis	(414) 220-5372		
	Jennifer Skinner	(414) 220-5373		
	Greg Michael	(414) 220-5375		
	Monica Weis	(414) 220-5361		
	Linda Michalets	(414) 220-5376		
535	Will Myers	(608) 261-7718	WI Dept Of Commerce 201 W Washington Ave PO Box 8044 Madison WI 53708-8044 FAX 608-267-1381	
	Ralph Smith	(608) 261-6543		
	Alan Hopfensperger	(608) 266-0562		
537, 538	Eric Scott	(608) 266-8516	WI Dept Of Commerce 201 W Washington Ave PO Box 8044 Madison WI 53708-8044 FAX 608-267-1381	
	Andrew Alles	(608) 261-8509		
	Jon Heberer	(608) 261-5405		
539, 546	David Swimm	(608) 264-8766	WI Dept Of Commerce 201 W Washington Ave PO Box 8044 Madison WI 53708-8044 FAX 608-267-1381	
	Gena Larson	(608) 261-5404		
540, 548	Shawn Wenzel	(608) 261-5401	WI Dept Of Commerce 201 W Washington Ave PO Box 8044 Madison WI 53708-8044 FAX 608-267-1381	
544, 547	Dee Zoellner	(715) 342-3802	WI Dept Of Commerce 2715 Post Rd Stevens Point WI 54481-6456 FAX 715-345-5225	
	Tim Zeichert	(715) 345-5307		
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545	David Blair	(608) 261-2515	WI Dept Of Commerce 201 W Washington Ave PO Box 8044 Madison WI 53708-8044 FAX 608-267-1381	
541	Beth Erdman	(920) 303-5410	WI Dept Of Commerce 2129 Jackson St Oshkosh WI 54901-1805 FAX 920-424-0217	
542, 543	Robert Klauk	(920) 424-0046	WI Dept Of Commerce 2129 Jackson St Oshkosh WI 54901-1805 FAX 920-424-0217	
549	Tom Verstegen	(920) 424-0025	WI Dept of Commerce 2129 Jackson St Oshkosh WI 54901-1805 FAX 920-424-0217	